

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA)	DOCKET NO. 5:19-cr-27-FDW
)	
v.)	
)	
OSCAR RANGEL-GUTIERREZ)	FACTUAL BASIS
_____)	

NOW COMES the United States of America, by and through William Stetzer, Attorney for the United States,¹ and hereby files this Factual Basis in support of the Plea Agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the Defendant will tender pursuant to the Plea Agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The Defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. From at least as early as in or about 2013 to in or about February 2019, in Iredell County and Mecklenburg County, within the Western District of North Carolina, and elsewhere, the Defendant, OSCAR RANGEL-GUTIERREZ, did knowingly and intentionally conspire and agree with other persons, known and unknown to the United States, to distribute and to possess with intent to distribute fifty (50) grams of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.

2. On or about August 21, 2018, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the Defendant, OSCAR RANGEL-GUTIERREZ, did knowingly

¹ Acting under authority conferred by 28 U.S.C. §515.

and intentionally possess with intent to distribute a mixture and substance containing fifty (50) grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. From at least as early as in or about 2013 to in or about February 2019, in Iredell County and Mecklenburg County, within the Western District of North Carolina, and elsewhere, the Defendant, OSCAR RANGEL-GUTIERREZ, did knowingly combine, conspire, confederate and agree with other persons, known and unknown to the United States, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit: to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, the manufacture, importation, sale, or distribution of a controlled substance, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1956(h).

R. ANDREW MURRAY
UNITED STATES ATTORNEY



STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the Plea Agreement in this case, and have discussed them with the Defendant. Based on those discussions, I am satisfied that the Defendant understands the Factual Basis, the Bill of Information, and the Plea Agreement. I hereby certify that the Defendant does not dispute this Factual Basis.



Rob Heroy, Esq., Attorney for Defendant

DATED: 